

DEC 12 2005

PTO/SB/21 (08-04)

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TRANSMITTAL
FORM

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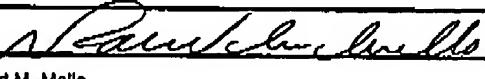
Total Number of Pages in This Submission 13

Application Number	10/087,339
Filing Date	March 1, 2002
First Named Inventor	Allan N. Weiss
Art Unit	3622
Examiner Name	Myhra, James W.
Attorney Docket Number	65814-028 (MSRK-020CP3)

ENCLOSURES (Check all that apply)

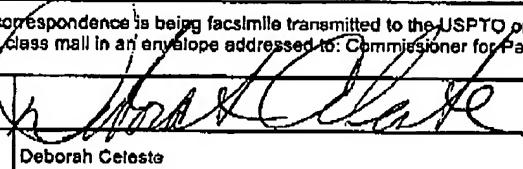
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
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<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	<input type="checkbox"/> Article (4 pp.)
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	McDermott Will & Emery LLP		
Signature			
Printed name	David M. Mello		
Date	December 12, 2005	Reg. No.	43,799

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

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December 12, 2005

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DEC 12 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re:	Allan N. Weiss	Confirmation No:	5050
Serial No:	10/087,339	Group:	3622
Filed:	March 1, 2002	Examiner:	Myhre, James W.
For:	Proxy Asset System and Method		
Customer No.:	23630		
Attorney Docket No.	65814-028 (MSRK-020CP3)		

INFORMATION DISCLOSURE STATEMENT**VIA FACSIMILE: 571-273-8300**

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted:

 under 37 CFR 1.129(a), or

(First/Second submission after Final Rejection)

 under 37 CFR 1.97(b), or

(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).

 under 37 CFR 1.97(c) together with either: a Statement under 37 CFR 1.97(e), as checked below, or a \$180.00 fee under 37 CFR 1.17(p), or

(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

 under 37 CFR 1.97(d) together with: a Statement under 37 CFR 1.97(e), as checked below, and a \$180.00 fee under 37 CFR 1.17(p), or

(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)

 under 37 CFR 1.97(i):Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.
 (Filed after payment of issue fee)

Attorney Docket No: 10/087,339

Statement Under 37 CFR 1.97(e)

Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or

No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

Enclosed herewith is form PTO-1449:

Copies of the cited references are enclosed except US patent references. References marked with an "*" were cited in an information disclosure statement previously filed.

References cited were entered in prior application, U.S. Application No. , to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]

The listed references were cited in the enclosed European Search Report in a counterpart foreign application.

The "concise explanation" requirement (non-English references) for reference(s) [] under 37 CFR 1.98(a)(3) is satisfied by:

the explanation provided on the attached sheet.

the explanation provided in the Specification.

submission of the enclosed International Search Report.

submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.

the enclosed English language abstract.

Examiner's
Initials

Applicant requests that the following non-published pending applications be considered:

U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

Attorney Docket No: 10/087,339

U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

Examiner

Date

A copy of each above-cited application, including the current claims, is enclosed.

A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.

Please charge Deposit Account 501133 in the amount of \$[].

Please charge any deficiency in fees and credit any overpayment to Deposit Account 501133.

No fee is required.

Respectfully submitted,

By 
David M. Mello
Reg. No. 43,799
McDermott Will & Emery LLP
28 State Street
Boston, MA 02109
Telephone: 617-535-4037
Facsimile: 617-535-3800

Dated: December 12, 2005

PTO/SB/08A (07-05)

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U.S. GOVERNMENT PRINTING OFFICE: 2008 50-1300-1000

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Substitute for form 1449/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Application Number	10/087,339
		Filing Date	March 1, 2002
		First Named Inventor	Allan N. Weiss
		Art Unit	3622
		Examiner Name	Myhre, James W.
Sheet <u>1</u>	of <u>2</u>	Attorney Docket Number	65814-028 (MSRK-020CP3)

U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No.*	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear
		Country Code* "Number" "Kind Code" (if known)			

Examiner Signature	:	Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application Number	10/087,339
(Use as many sheets as necessary)				Filing Date	March 1, 2002
				First Named Inventor	Allan N. Weiss
				Art Unit	3622
				Examiner Name	Myhre, James W.
Sheet	2	of	2	Attorney Docket Number	65814-028 (MSRK-020CP3)

NON PATENT LITERATURE DOCUMENTS

Examiner Signature			Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

Applicant's unique citation designation number (optional): I place a check mark here if English language (100% English) is claimed.
This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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